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9 BUSINESS OBJECTS, S.A.

ORIGINAL  
FILED

OCT 17 2001

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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11  
12 BUSINESS OBJECTS, S.A.,

SAN FRANCISCO DIVISION  
FC | 01 Case No. 3908

13 Plaintiff,  
14 v.  
15 MICROSTRATEGY, INC.  
16 Defendant.

COMPLAINT FOR PATENT  
INFRINGEMENT

JURY DEMAND

JURISDICTION AND VENUE

20 1. This is a civil action for patent infringement arising under the patent laws of the United  
21 States, 35 U.S.C. §1 et seq. Subject matter jurisdiction is proper under 28 U.S.C. § 1331 and 28  
22 U.S.C. § 1338. Venue is proper under 28 U.S.C. § 1391 and 28 U.S.C. § 1400(b).

PARTIES

23 2. Plaintiff Business Objects, S.A. is organized under the laws of the Republic of France  
24 with its principal place of business in Levallois-Perret, France. Business Objects, S.A. is the owner of  
25 certain patent rights relating to a relational database access system and method that provides a new  
26 data representation and a query technique which allows information system end users to access  
27 (query) relational databases without knowing the relational structure or the structured query language  
28

1 (SQL).

2       3. Defendant MicroStrategy, Inc. is a Delaware corporation with its principal place of  
3 business in McLean, Virginia.

4

5                     **COUNT I**

6                     **INFRINGEMENT OF U.S. PATENT NO. 5,555,403**

7       5. On September 10, 1996, United States Patent No. 5,555,403 ("403 Patent"), entitled  
8 "Relational Database Access System Using Semantically Dynamic Objects," was duly and legally  
9 issued to Plaintiff. A true and correct copy of the '403 Patent is attached hereto as Exhibit A.

10      6. Defendant directly infringe, has contributed to the infringement of, and induces  
11 infringement by others of, the '403 Patent by making, using, offering to sell, and selling products  
12 known as "MicroStrategy Version 7.0" which fall within the scope of one or more of the claims of the  
13 '403 Patent.

14      7. Defendant's infringement of the '403 Patent has caused, and continues to cause,  
15 damage to Plaintiff in an amount to be proven at trial.

16      8. Plaintiff is informed and believes that Defendants have been placed on notice that they  
17 infringe the '403 Patent, yet Defendant continues to infringe said patent.

18      9. On information and belief, Defendant's infringement of the '403 Patent has been  
19 willful, deliberate and in conscious disregard of Plaintiff's rights, making this an exceptional case  
20 within the meaning of 35 U.S.C. §§ 284 and 285.

21      10. On information and belief, Defendant will continue to infringe the '403 Patent causing  
22 immediate and irreparable harm to Plaintiff unless this Court enjoins and restrains its activities.

23                     WHEREFORE, Plaintiff prays that:

- 24      A. This Court adjudge that the '403 Patent is valid and enforceable;  
25      B. Defendant be adjudicated and deemed to have infringed the '403 Patent;  
26      C. A preliminary and permanent injunction be issued enjoining Defendant and its officers,  
27 agents, servants, employees, and attorneys, and those acting in privity or concert with them, from  
28 further infringing, contributing to, or inducing infringement of, the '403 Patent;

1 D. Plaintiff be awarded full compensatory damages by reason of Defendant's infringement  
2 as herein set forth, together with prejudgment and post-judgment interest, and that said damages be  
3 trebled based on Defendant's willful infringement pursuant to 35 U.S.C. § 285;

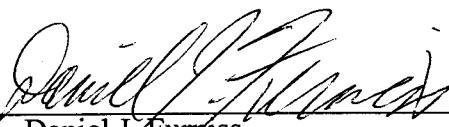
4 E. Plaintiff be awarded its costs and attorneys' fees pursuant to 35 U.S.C. § 285; and

5 F. This Court grant such other and further relief as may be just and proper under the  
6 circumstances.

7  
8 DATED: October 16, 2001

Respectfully submitted,

9 TOWNSEND AND TOWNSEND AND CREW LLP

10 By: 

11 Daniel J. Furniss  
12 Stephen Y. Pang  
13 Gregory S. Bishop  
14 Attorneys for Plaintiff  
15 BUSINESS OBJECTS, S.A.

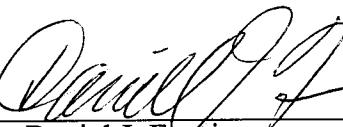
16 **DEMAND FOR JURY TRIAL**

17 Plaintiff demands a trial by jury on all the issues raised in this action.

18 DATED: October 16, 2001

Respectfully submitted,

19 TOWNSEND AND TOWNSEND AND CREW LLP

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21 Daniel J. Furniss  
22 Stephen Y. Pang  
23 Gregory S. Bishop  
24 Attorneys for Plaintiff  
25 BUSINESS OBJECTS, S.A.

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